

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BEAL BANK USA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1-16-CV-10729
)	
MARCIA A. SWIFT a/k/a MARCIA SWIFT)	
a/k/a MARCIA A. JEWELL and)	Hon. Gary Feinerman
CHRISTOPHER T. SWIFT a/k/a)	
CHRISTOPHER SWIFT a/k/a CHRIS T.)	
SWIFT a/k/a CHRIS R. SWIFT a/k/a)	
CHRIS SWIFT,)	
)	
Defendants.)	

JOINT STATUS REPORT

Pursuant to the Court’s April 7, 2021 Order, Plaintiff Beal Bank USA (“Beal Bank” or “Plaintiff”), by its attorneys, and Defendants Marcia A. Swift and Chris T. Swift (“Defendants”), by their attorney, hereby submit this Status Report regarding proceedings in the Kane County mortgage foreclosure action.

Status of the State Court Proceeding

As previously reported, on July 29, 2020 Judge Busch granted Beal Bank’s motion for summary judgment in its entirety and entered an order of judgment of foreclosure and sale against Defendants. Thereafter, the Defendants’ redemption period expired. Defendants did not file any post-judgment motions within the applicable time limit.

Due to the pandemic, the previously scheduled foreclosure sale dates of October 29, November 19 and December 17, 2020 were postponed by the Kane County Sheriff. On January 21, 2021 the Kane County Sheriff offered the property for sale to the public

and Plaintiff, the only bidder, purchased the property at the bid price of \$520,000. On February 9, 2021, Judge Busch entered an order which (i) approved the foreclosure sale; (ii) awarded Plaintiff a deficiency judgment against Defendants in the amount of \$464,636.00; and (iii) granted possession of the property to Plaintiff. A copy of the February 9, 2021 Order is attached as Exhibit A.

On March 10, 2021 the Defendants filed a notice of appeal seeking to reverse and vacate the summary judgment order, the order approving the sale and “[a]ll interlocutory orders.” A copy of the Notice of Appeal is attached as Exhibit B. On March 24, 2021 Defendants filed their Docketing Statement, which is attached as Exhibit C. On April 19, 2021, Attorney George Olsen filed his appearance on behalf of Defendants in this case.

Given the lengthy and byzantine history of this dispute, Beal Bank believes that the interests of justice and judicial efficiency are best served by maintaining the existing stay in this action until after the appeal is resolved. Counsel for Beal Bank and counsel for Defendants therefore respectfully request that the Court set this matter for a further Status Report in one hundred eighty (180) days. Beal Bank will update the Court before that if the appeal is resolved in the interim.

Dated: April 21, 2021

MARCI A. SWIFT
CHRIS T. SWIFT

By: /s/ George Olsen

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BEAL BANK USA

By: /s/ Collette A. Woghiren

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CERTIFICATE OF SERVICE

Collette A. Woghiren, an attorney, states that she caused a copy of the **Status Report** to be served on:

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via electronic filing using the United States District Court for the Northern District of Illinois CM/ECF system which sent notification of such filing on April 21, 2021.

/s/ Collette A. Woghiren